



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 0664MH-40982-C

In Re Application of:

GREGORY G. KUELBS

Serial No.: **10/650,537**

Filed: **28 AUGUST 2003**

For: **UMBRELLA APPARATUS**

§
§
§ Examiner: **SAWHNEY, HARGOBIND S.**
§
§ Confirmation No.: **9033**
§
§ Art Unit: **2875**
§
§

TRANSMITTAL

MAIL STOP: AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please file the following enclosed documents in the subject application:

1. This Transmittal with Certificate of Mailing;
2. Response to Requirement for Restriction; and
3. Our return postcard which we would appreciate you date stamping and returning to us.

CERTIFICATE OF MAILING
37 C.F.R. § 1.8(a)

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail service with sufficient postage under 37 C.F.R. § 1.8(a) on the date indicated below and is addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date of Deposit: 17 MARCH 2005 By: Dan Cadei

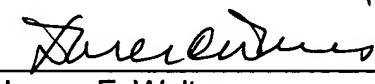
No fee is deemed to be necessary; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayments, to Deposit Account No. **502806**.

Please link this application to Customer Nos. 50779 and 38441 so that its status may be checked via the PAIR System.

Respectfully submitted,

17 MARCH 2005

Date



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CUSTOMER NOS. 50779 AND 38441

ATTORNEYS AND AGENT FOR APPLICANT



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RESPONSE TO REQUIREMENT FOR RESTRICTION

Mail Stop: **AMENDMENT**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Restriction Requirement dated 17 February 2005, for which the one-month date for response is 17 March 2005.

Please consider the following election and remarks.

CERTIFICATE OF MAILING
37 C.F.R. § 1.8(a)

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail service with sufficient postage under 37 C.F.R. § 1.8(a) on the date indicated below and is addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date of Deposit: 17 MARCH 2005 By: *D. Kuelbs*

ELECTION WITH TRAVERSE

The Restriction Requirement alleges that the present application contains claims directed to following patentably distinct species of the claimed invention:

Species I – shown in Figures 1, 5B, and 9;

Species II – shown in Figures 2A – 2C and 5A;

Species III – shown in Figures 3A – 3C;

Species IV – shown in Figure 4A

Species V – shown in Figures 4B and 8;

Species VI – shown in Figures 4C and 7;

Species VII – shown in Figures 6 and 10; and

Species VIII – shown in Figure 11.

Note that, in the Restriction Requirement, Species "VIII" above is listed as Species "IX." Applicants elect, with traverse, to pursue the embodiment of alleged Species "II." Claims 21-32, 34, 37-48, 50-54, and 62-68 read on alleged Species "II", as each of the claimed elements appear in at least one of Figures 2A – 2C and 5A. Applicant's election is not an acquiescence in the propriety of the restriction or in the accuracy in the determination and/or identification of the alleged "species" in the application. Applicants also request withdrawal of the Restriction Requirement as set forth below, as the Requirement is improper.